

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed June 20, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Allowable Subject Matter

Applicant appreciates the Examiner's indication that claim 31 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant notes that independent claim 29 has been amended through this Response to incorporate the limitations of claim 31. Accordingly, claim 29 and its dependents are now believed to be in condition for allowance.

Regarding Applicant's other claims, it is respectfully submitted that the rejections made against those claims have been overcome and, therefore, each of those claims is also presently in condition for allowance.

II. Claim Rejections - 35 U.S.C. § 101

Claims 1-8 and 33-36 have been rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter.

As indicated above, claims 1-8 and 33, and 34 have been canceled through this Response. In view of those cancellations, Applicant submits the rejection is moot as to those claims.

Regarding remaining independent claim 35, Applicant notes that the claim is now drawn to a "computer readable memory", which clearly qualifies as a "manufacture" under 35 U.S.C. § 101. See 35 U.S.C. § 101. Accordingly, Applicant respectfully submits that claim 35 is drawn to

statutory subject matter and respectfully requests that the rejections as to claim 35 and its dependents under 35 U.S.C. § 101 be withdrawn.

III. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-8, 10-19, 29, 30, and 32-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Bennett* (U.S. Pat. No. 6,618,743). Applicant respectfully traverses this rejection.

As indicated above, each of Applicant's remaining independent claims has been amended through this Response. In view of those amendments, Applicant respectfully submits that the rejections are moot as having been drawn against Applicant's claims in another form. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

Turning to the merits of the *Bennett* reference, Applicant notes that while *Bennett* generally describes parent processes, fork() system calls, and child processes, *Bennett* fails to anticipate multiple limitations of Applicant's claims. For example, regarding independent claim 10, *Bennett* does not disclose a method comprising the actions of "instrumenting a parent process", "monitoring execution of the parent process with a process monitor to collect information as to the run-time behavior of the parent process", "before a vfork system call is executed, receiving with the process monitor indicia from the parent process that a vfork system call will be executed by the parent process", "extracting with the process monitor a process identifier from the indicia the process identifier identifying a child process to be generated by the parent process when the parent process executes the vfork system call", or "setting with the process monitor a process monitor thread to observe trace events generated by the child process".

Regarding independent claim 35, *Bennett* does not disclose a system comprising a parent process "configured to, before a vfork call is executed by the parent process, generate a pre-fork

event that contains a process identifier of a child process that will be spawned from the parent process when the vfork system call is executed by the parent process" or a "process monitor" that is "configured to receive the pre-fork event and process identifier before the vfork system call is executed by the parent process, suspend execution of the parent process, and generate a process monitor thread that enables observation of trace events generated by the child process".

IV. Canceled Claims

Claims 1-9, 12, 14-28, 31, 33, 34, and 36 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

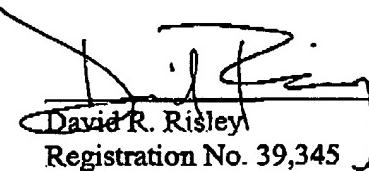
V. New Claims

Claims 37-39 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



David R. Risley
Registration No. 39,345

**CERTIFICATE OF FACSIMILE TRANSMISSION
UNDER 37 CFR §1.8**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted on the date indicated below via facsimile to the United States Patent and Trademark Office, facsimile number (571) 273-8300.

Date: 9-14-06

May M. eeg
Signature